



ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION

SA 16-250

INTERVIEW REPORT

CASE NAME: MIGUEL SILICEO & [REDACTED]

CLASSIFICATION: OFFICER MISCONDUCT

INTERVIEW OF: WAYNE WALKER, CIVILIAN JAILER
FULLERTON POLICE DEPARTMENT

DATE AND TIME: 04/01/2016

0705 HOURS

LOCATION: FULLERTON POLICE DEPARTMENT JAIL

On April 1, 2016, at approximately 0705 hours, I conducted an audio digital recorded interview of Fullerton Police (FPD) Jailer WAYNE WALKER regarding the officer misconduct allegations related to FPD Officers MIGUEL SILICEO and [REDACTED]. The following is a summary of the interview.

WALKER said he was providing a free and voluntary statement. No one from his agency had ordered him to give a statement. He at first said he felt compelled to give a statement because the district attorney's office was conducting the investigation. When I told him he did not have to give a statement, or could consult with an attorney before giving a statement, he said he wanted to give a voluntary statement.

WALKER had worked for the FPD for ten years. He was an overnight parking enforcement employee for one year, and then became a jailer. He had not worked for any other law enforcement agency. He was currently assigned to the jail on Thursdays, Fridays and Saturdays from 0600 – 1800 hours, and every other Sunday from 0600 – 1400 hours. On July 9,

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Date of Report: 05/02/2016

Date: 05/04/2016

2016, he was assigned to the jail on Mondays, Tuesdays and Wednesdays from 1800 – 0600 hours.

WALKER said he doubted he would recall anything about a booking from July of 2015 because he had booked so many people in the intervening time. I showed him DMV photographs of LUIS DIAZ and VICTOR SERRANO and told him the arresting officers were SILICEO and [REDACTED]. He did not recognize DIAZ or SERRANO. He said 415.1 PC and 647(f) PC arrests were very common in the downtown area of Fullerton. He estimated 70 to 100 arrests would be made in the area from Thursday through Sunday nights.

I showed WALKER the Fullerton City Jail Intake Screening and Triage forms for DIAZ and SERRANO. He said the form was familiar and he identified his handwriting on the forms. WALKER filled out one of the forms on every inmate he booked at the jail. WALKER was in charge of the inmate's health, welfare and wellbeing while they were in custody. He has memorized the form. SERRANO's answers to question #6 (Date of Last Drink? Answer: "Tonight"; and How Much Do You Drink? Answer: "4-5 drinks") would have been WALKER recording SERRANO's response. DIAZ's answers to question #6 (Date of Last Drink? Answer: "Tonight"; and How Much Do You Drink? Answer: "A lot") would have been WALKER recording DIAZ's response or he was so intoxicated WALKER recorded his own observation of how much DIAZ had to drink.

I asked WALKER about his practice in using a Preliminary Alcohol Screening (PAS) Device in the jail. WALKER would try to obtain an initial PAS test to determine if an inmate may be in need of medical attention. If an inmate was belligerent or uncooperative it could be difficult to get a PAS reading. It was not policy, but he would attempt to PAS an inmate prior to release from custody. WALKER had never been instructed by an officer to not PAS an inmate. When a

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PAS test was taken on intake, the results would normally be posted on the white erase board in the jail office and not necessarily on the triage form. It would sometimes be indicated on the form.

I asked about the police report indicating DIAZ and SERRANO were not tested with a PAS because WALKER found they were already passed out. WALKER said it was possible. He had no recollection of the night in question. He said there were nights when he would be working by himself in the jail so he would not immediately get to the inmate. At some point an inmate would be tested with a PAS before release. It would not necessarily be noted in the booking paperwork.

I showed WALKER a copy of SERRANO's FPD Pre-Booking Form. WALKER said the form would have been filled out by the booking officer. In the case of SERRANO, the form was filled out by SILICEO and the writing was not WALKER's. Upon release, on duty jailer would get the inmate's signature on the Pre-Booking form and the citation which would generally be filled out by the arresting officer.

I showed WALKER the citation issued to SERRANO. He recognized the handwriting as SILICEO's writing. I showed WALKER the citation issued to DIAZ. He recognized the handwriting as [REDACTED]'s writing. He said the "415.1 PC" was in [REDACTED] handwriting. WALKER recognized the "148(a) PC" on DIAZ's citation as his own handwriting. He said the change would have occurred when [REDACTED] told him to change the charge. He said it was unlikely the watch commander would tell him to change the charge. He did not know why the charge was changed, but described it as a common thing.

WALKER would conduct jail checks during his shifts. He would note anytime there was an incident. He showed me the computerized jail log which may have notes. He would also

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document relevant information about a specific inmate on the white erase board. He would not document the absence of anything noteworthy.

WALKER had nothing further to add.

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